

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
) Case No. 1:12-CR-111
v.)
) Judge Curtis L. Collier
TOMMY POINDEXTER)

O R D E R

On October 22, 2012, Defendant filed a motion for a psychiatric and/or psychological examination (Court File No. 13). United States Magistrate Judge William B. Mitchell Carter granted Defendant's motion and ordered a mental health evaluation (Court File No. 16). The findings of the sealed forensic report show Defendant has been diagnosed with post-traumatic stress disorder and depression. However, he does not display any symptoms that would prevent him from understanding the nature and consequences of the proceedings filed against him or that would prevent him from properly assisting in his defense. The report does indicate that Defendant's depressive symptoms should be continually monitored. Defendant has waived his right to a competency hearing (Court File No. 19).

Based upon this information, Magistrate Judge Carter has submitted a Report and Recommendation ("R&R"), recommending this Court find Defendant competent to stand trial (Court File No. 23). Neither party filed an objection. Therefore, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Carter's R&R (Court File No. 23), pursuant to 28 U.S.C. § 636(b)(1), and **DETERMINES** Defendant is competent to stand trial.

SO ORDERED.

ENTER:

/s/

CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE